parties and considering the submissions of the parties, the designated authority has imposed an anti-dumping duty on metallurgical coke being imported from China PR at a rate as equivalent to the difference between Rs. 4673/— and the landed value of met-coke/m.t.

(d) Coal/coke being under open general licence, is being imported by consumers as per their need and commercial arrangements and so no data regarding import of met coke is maintained. However, there has been no import of metallurgical coke by the Government in the last two years nor there is any proposal to import the same in the current year. The liberalised import of metallurgical coke has affected domestic coke industries and also off take of coal companies adversely.

Removal of workers from BCCL

2637. DR. ALLADI P. RAJKUMAR: Will the Minister of COAL be pleased to State:

(a) the number of workers removed from the roll in BCCL alleging unauthorised absence since last five years, yearwise;

(b) the reasons for their absence;

(c) whether the Supreme Court has opined in a judgement that dismissal is a disproportionately harsh punishment for unauthorised absentee; and

(d) if so, the steps taken by Government in regard to the implementation of the above judgement in favour of retrenched workers?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRI DILIP RAY): (a) As reported by Coal India Limited, the number of workers removed from the roll of BCCL for unauthorised absence during last five years with yearwise break-up is as under:—

Year	Total No. of workers
1993-94	607
1994-95	465
1995-96	328
1996-97	736
1997-98	488
1998-99 *(upto Oct' 98)*	218

(b) The habitual absence by the workers has been mainly on account of various social functions in their families and for attending to cultivation and other such activities.

(c) In a judgement on a related issue in Civil Appeal No. 2982 of 1989 between Union of India & Others Vs. Giriraj Sharma reported in AIR 1994, the Hon'ble Supreme Court held as follows:—

"The incumbent while admitting the fact that he had overstayed the period of leave had explained the circumstances in which it was inevitable for him to continue on leave as he was forced to do so on account of unexpected circumstances. We are of the opinion that the punishment of dismissal for overstaying the period of 12 days in the said circumstances which have not been controversed in the counter is harsh since the circumstances show that it was not his intention to wilfully flout the order, but the circumstances forced him to do so. In that view of the matter the learned counsel for the respondent has fairly conceded that it was open to the authorities to visit him with a minor penalty if they so desired, but a major penalty of dismissal from service was not called for."

(d) Due weightage is given to the above judgement of Hon'ble Supreme Court in deciding such cases, having regard to circumstances of each case.